

PROTECTING SCENIC VALUES ALONG THE GRAND CANYON PARK
SOUTH APPROACH HIGHWAY (STATE 64) WITHIN THE KAIBAB
NATIONAL FOREST, ARIZ.

JUNE 15, 1951.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. MURDOCK, from the Committee on Interior and Insular Affairs,
submitted the following

R E P O R T

[To accompany S. 109]

The Committee on Interior and Insular Affairs, to whom was referred the bill (S. 109) to protect scenic values along the Grand Canyon Park South Approach Highway (State 64) within the Kaibab National Forest, Ariz., having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

AMENDMENTS TO S. 109

Page 2, line 11, following the semicolon, insert the following:

and also those mining locations made under the mining laws of the United States on public domain lands within those particular sections of townships 23 north, 24 north, 25 north, 26 north, 27 north, and 28 north, all in range 2 east, Gila and Salt River Base and meridian, through which there extends Arizona State Highway numbered 64 and a strip of land 1,000 feet wide on each side of the center line of the right-of-way thereof;

Page 2, line 23, following the comma, insert the following:

or rules and regulations issued by the Secretary of the Interior under this Act with respect to public domain lands under his jurisdiction,

Page 3, line 4, following the word "regulations," insert the following:
or rules and regulations of the Secretary of the Interior, as the case may be,

Page 3, line 6, delete the word "national-forest" and substitute in lieu thereof the word: "such".

Page 3, line 16, delete the words "the national-forest" and substitute in lieu thereof the word: "such".

2 PROTECT SCENIC VALUES IN KAIBAB NATIONAL FOREST, ARIZ.

Page 3, line 22, delete the period and add the following: “, or the Department of the Interior, respectively.”

Amend the title so as to read:

An Act to protect scenic values along the Grand Canyon Park Approach Highway (State 64) within the Kaibab National Forest, Arizona, and certain public domain lands under the jurisdiction of the Department of the Interior.

EXPLANATION OF THE BILL

The purpose of this bill as amended is to protect scenic values along the Grand Canyon Park Approach Highway (State 64). No expenditure of Federal funds is required.

As passed by the Senate, S. 109 applied only to the highway area within the Kaibab National Forest. The Department of the Interior has suggested that the public-domain lands through which Highway 64 passes also should be included and the committee has amended the bill accordingly.

This bill will protect the area from speculators who might endeavor to obtain valuable tracts of land under the subterfuge of taking out mining claims. Legitimate mining operations would not be restricted.

In recommending the enactment of this legislation, the committee has no intent of establishing a precedent with regard to other national parks.

Further detailed information is carried in the following favorable reports of the Departments of Agriculture and Interior on S. 109 and companion bill H. R. 1213, respectively.

A COPY OF THE AGRICULTURE REPORT

DEPARTMENT OF AGRICULTURE,
Washington 25, D. C., January 25, 1951.

HON. FREDERICK J. LAWTON,
Director, Bureau of the Budget.

DEAR MR. LAWTON: Reference is made to the request of Mr. Roger W. Jones, assistant director of legislative reference of your Bureau, for the views of this Department on S. 109, Eighty-second Congress, a bill to protect scenic values along the Grand Canyon Park South Approach Highway (State 64) within the Kaibab National Forest, Ariz.

S. 109, Eighty-second Congress, is identical to S. 1874, Eighty-first Congress, on which this Department made a favorable report and your Bureau advised that, from the standpoint of the program of the President, there was no objection to the submission of the report. Attached is a copy of the report of this Department dated June 14, 1949, to Senator Joseph C. O'Mahoney, chairman of the Committee on Interior and Insular Affairs, recommending enactment of S. 1874.

This Department is still of the same opinion and therefore recommends that S. 109 be enacted.

Sincerely,

CHARLES F. BRANNAN, *Secretary.*

DEPARTMENT OF AGRICULTURE,
Washington 25 D. C., June 14, 1949.

HON. JOSEPH C. O'MAHONEY,
Chairman, Committee on Interior and Insular Affairs,
United States Senate.

DEAR SENATOR: Reference is made to your request of May 18 for a report by this Department on S. 1874, a bill to protect scenic values along the Grand Canyon Park South Approach Highway (State 64) within the Kaibab National Forest, Ariz.

This bill would provide that, on certain lands along the Grand Canyon Park South Approach Road (State 64), the rights of locators of subsequently filed mining claims would be limited to the minerals and that title to the surface would remain with the United States. The bill also prescribes that use of the surface by the locator would be restricted to the needs for mining purposes and that cutting of timber would be subject to national forest timber cutting rules.

This bill is similar in purpose and effect to several acts previously passed by the Congress. For example, the acts of March 15, 1940 (54 Stat. 52), and June 11, 1946 (60 Stat. 254), impose substantially the same restrictions on location and entry of mineral lands, under the United States mining laws, in order to preserve the scenic and recreational resources along the Catalina Highway and recreation area on portions of the Coronado National Forest, Ariz. Also S. 353, Eighty-first Congress, applying to the Aspen Basin Road in the Santa Fe National Forest, N. Mex., which your committee reported recently, is substantially the same type of bill.

The south approach road to Grand Canyon National Park, State 64, passes through many miles of the Kaibab National Forest. It is the policy of the Forest Service to preserve the natural forest environment along this road and to permit only such developments as are necessary for the traveling public. It is inconsistent with the public interest to permit unrestricted mining activity to interfere unnecessarily with public use and enjoyment of this road. The restrictions in the bill would protect the public interest greatly by preventing unnecessary use of the surface of mining claims, but would not unduly interfere with legitimate mining operations.

This Department recommends that the bill be passed.

The Bureau of the Budget advises that, from the standpoint of the program of the President, there is no objection to the submission of this report.

Sincerely,

CHARLES F. BRANNAN, *Secretary.*

REPORT ON COMPANION BILL H. R. 1213, INTRODUCED BY CONGRESSMAN PATTEN,
OF ARIZONA

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, May 16, 1951.

HON. JOHN R. MURDOCK,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington 25, D. C.*

MY DEAR MR. MURDOCK: Your committee has requested a report on H. R. 1213, a bill to protect scenic values along the Grand Canyon Park South Approach Highway (State 64) within the Kaibab National Forest, Ariz. This would be accomplished by limiting the use of mining locations upon the described properties to so much of the surface of the land as may be reasonably necessary to carry on prospecting and mining. No use of the surface of claims or resources therefrom not reasonably required for carrying on mining or prospecting would be allowed except under appropriate rules and regulations. Also, the cutting of timber would be conducted in accordance with suitable forest timber-cutting practices.

We recommend that H. R. 1213 be enacted, with the amendments hereinafter suggested.

Members of your committee were afforded an opportunity during March to visit the Grand Canyon National Park and to obtain first-hand information concerning this particular proposal. As a result of your field hearing on this measure, we believe it is generally agreed that the scenic values along the Grand Canyon Approach Highway (State 64) should be protected, not only within the Kaibab National Forest, but also along those stretches of the highway which extend through certain public domain lands under the jurisdiction of this Department. Accordingly, we suggest that the bill be amended as follows:

Amend the title to read: "To protect scenic values along the Grand Canyon Park Approach Highway (State 64) within the Kaibab National Forest, Arizona, and certain public-domain lands under the jurisdiction of the Department of the Interior."

On page 2, between lines 11 and 12, insert the following: "and also those mining locations made under the mining laws of the United States on public domain lands within those particular sections of townships 23 north, 24 north,

4 PROTECT SCENIC VALUES IN KAIBAB NATIONAL FOREST, ARIZ.

25 north, 26 north, 27 north, and 28 north, all in range 2 east, Gila and Salt River Base and meridian, through which there extends Arizona State Highway numbered 64 and a strip of land 1,000 feet wide on each side of the center line of the right-of-way thereof."

On page 3, at the end of line 1, add the following: "or rules and regulations issued by the Secretary of the Interior under this Act with respect to public domain lands under his jurisdiction,".

On page 3, line 5, following the word "regulations," insert the following: "or rules and regulations of the Secretary of the Interior, as the case may be,".

On page 3, line 7, strike out "national-forest" and insert in lieu thereof the word "such".

On page 3, line 17, strike out "the national-forest" and insert in lieu thereof the word "such".

On page 3, line 23, strike out the period at the end of the line and insert in lieu thereof: ", or the Department of the Interior, respectively."

To correct an error in the land description, on page 2, line 5, the figure "6" should be changed to "18". This error does not appear in the companion Senate bill, S. 109, which is now pending before your committee.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your Committee.

Sincerely yours,

MASTIN G. WHITE,
Acting Assistant Secretary of the Interior.

The enactment of this bill is recommended by the Committee on Interior and Insular Affairs.

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